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| 09/783,608 | 02/15/2001 | Brian Roundtree | 0956793611585.02 | 9399 |

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2141

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/783,608
Filing Date: February 15, 2001
Appellant(s): ROUNDTREE ET AL.

MAILED

JUN 16 2006

Technology Center 2100

Robert C. Peck
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 06/05/2006 appealing from the Office action mailed on 04/21/2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,748,188

Hu et al.

05/1998

Lee et al., "RFC 1866 Hypertext Markup Language 2.0", Network Working Group, November 1995, pp. 39-45.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim(s) 1, 5-10, 11, 15-20 is/are rejected under 35 U.S.C. 102(b) as being anticipated by Hu et al. (US Patent 5,748,188), hereinafter referred to as Hu.

3. Claim(s) 1, 5, 11, 15: Hu discloses a method for rendering data on a user device, comprising:

receiving the data at the user device along with one or more concept identifiers identifying a plurality of rendering instructions (col. 23 lines 46-58; the graph data (the data) received along with graph attributes (concept identifiers) identifying instructions to create an object);

retrieving the rendering instructions based at least in part on one or more of the concept identifiers (col. 23 lines 46-60; col. 26 line 34 - col. 27 line 18; generating the program instructions of the object (the rendering instructions) based on the graph attributes (the concept identifiers); and

rendering the data on the user device using the rendering instructions (col. 23 lines 56-58; claim 1 begins in col. 26 line 61; displaying the graph data on client's video display using the program instructions of the object).

4. Claim(s) 6, 16: Hu discloses a method of claim(s) 5, 15, wherein the rendering includes parsing the data for presentation according to the rendering instructions (col. 23, lines 45-60).

5. Claim(s) 7, 17: Hu discloses a method of claim(s) 1, 11 wherein the retrieving includes locally retrieving the rendering instructions at the user device (FIG. 20 ref. 12 shows the client doing the parsing, creating the object representation of the graph, and rendering with the viewer).

6. Claim(s) 8, 18: Hu discloses a method of claim(s) 1, 11 wherein the rendering includes formatting an appearance of a visual elements using some of the data (FIG. 15-19 and col. 23; wherein the graph elements are visual elements creating the graphs).

7. Claim(s) 9, 19: Hu discloses a method of claim(s) 8, 18, wherein the formatting includes selecting, using the rendering instructions, at least one from the group consisting of a particular color for presenting the visual element, a particular icon for presenting the data, positioning of the visual element, or a particular symbol for presenting the visual element (col. 20; wherein the position of the visual element is position with reference to the x-axis and y-axis in the <xlabels> and <ylabels>).

8. Claim(s) 10, 20: Hu discloses a method of claim(s) 1, 11 wherein the retrieving includes selecting the rendering instructions based at least in part on a type of the user device (col. 7, lines 18-21; wherein the client subsystem is an application program which can be executed on Windows NT or Windows 95 operating systems. If a laptop is running Windows 95 and a desktop is running Windows NT, then the rendering

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instructions is run based upon operating systems, in which case the operating system is run based on the hardware architecture of the user device).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim(s) 2-4, 12-14 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Hu as applied to claim(s) 1-3 and 11-13 above, and further in view of RFC 1866 for Hypertext Markup Language – 2.0 by Lee et al., hereinafter referred to as RFC1866.

11. Claim(s) 2, 12: Hu discloses a method of claim 1, but fails to include identifying interactive elements associated with some or all of the data and setting the interactive elements according to their associated data and rendering the interactive elements using the rendering instructions. RFC1866, in an analogous art, discloses interactive elements (RFC page 41, section 8.1.2.4; wherein the interactive elements are the form element specifically input element with radio type) and setting the interactive elements according to the data and rendering instruction (RFC page 41, section 8.1.2.4; wherein the radio HTML GUI button is rendered on the client browser, and the CHECKED

attribute sets the radio button to be selected. The client browser has instructions to set the check button after the user click on a different radio button). It would have been obvious to combine Hu's method of reporting business graphs with RFC1866's interactive elements to make the graphs more flexible with different attributes based on the user selection, such as checking/selecting the radio buttons to change the graph's color or clicking a checkbox indicating the user wants a different type of graph with the same data sets. The advantage of the combination would make it more flexible to view different graphs instead of getting one type of graph object or reference per transmission request (col. 23, lines 1-65).

12. Claim(s) 3, 4, 13, 14: Hu and RFC1866 disclose a method of claim 2, and Hu also discloses retrieving additional data from a remote server (FIG. 14 and col. 20, lines 1-65), but Hu fails to disclose detecting selection of interactive elements, retrieving interactive rules based upon the interactive element, and re-rendering the interactive elements using the rendering instructions. RFC1866 discloses: detecting selection of one of the interactive elements (RFC1866 page 39-42, section 8 Forms; In HTML Forms, checkboxes `<INPUT TYPE=checkbox ...>` and radio buttons `<INPUT TYPE=radio>` are two of the many interactive elements that allow a user to make a selection. Once a user makes a selection based on what the user click, the web browser detects the click on the checkbox or radio button);

retrieving interaction rules associated with the interactive element (RFC1866 page 39-42, section 8 Forms; The web browser will interact with the element once it is

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selected. If the form element is checkbox and the user clicks on the checkbox, the browser will retrieve interaction rules to render the check marked on the checkbox. Moreover, if the form element is a textfield and the user clicks on the textfield box, the cursor will blink on the textfield indicating that it is ready to accept text characters); and

re-rendering the interactive elements using the interaction rules (re-rendering is done right after the interaction with the form elements. First when the HTML form is called, the browser renders the data based on the extended HTML graph element and form elements ready for user interaction. Once the form is ready to accept input, the user click on the form elements and pressing the submit button to re-render the graph based on the indicated selection or interaction).

It would have been obvious to combine Hu's method of reporting business graphs with RFC1866's interactive elements to make the graphs more flexible, such as checking/selecting the radio buttons to indicate request for changing the graph from one type to another type. The advantage of the combination would make it more flexible to view different graphs instead of getting one type of graph object or reference per transmission request (col. 23, lines 1-65).

(10) Response to Argument

(I) Applicant argued that the prior art does not teach

receiving the data at the user device along with one or more concept identifiers identifying a plurality of rendering instructions;

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retrieving the rendering instructions based at least in part on one or more of the concept identifiers; and

rendering the data on the user device using the rendering instructions.

As to point (I) Hu teaches client received graph data (data) with graph attributes (concept identifiers) identifying a plurality of codes or program instructions in creating an object (rendering instructions) (col. 23 lines 46-58);

generating the program instructions of the object (the rendering instructions) based on the graph attributes (the concept identifiers) (col. 23 lines 46-60; col. 26 line 34 - col. 27 line 18);

displaying the graph data on client's video display using the program instructions of the object (col. 23 lines 56-58; claim 1 begins in col. 26 line 61).

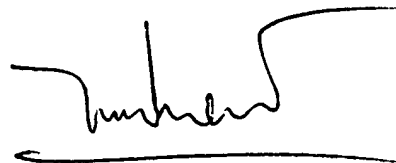
(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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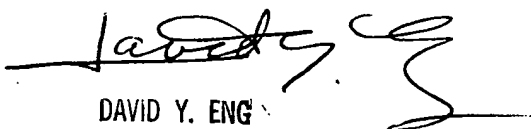
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



LIEN LUU
PRIMARY EXAMINER

Conferees:



DAVID Y. ENG
PRIMARY EXAMINER



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER

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